

WILLIAM W. LACKEY.

FEBRUARY 8, 1904.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. GIBSON, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany S. 1358.]

The Committee on Invalid Pensions, to whom was referred the bill (S. 1358) granting an increase of pension to William W. Lackey, have examined the same and adopted the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 288, Fifty-eighth Congress, second session.]

The Committee on Pensions, to whom was referred the bill (S. 1358) granting an increase of pension to William W. Lackey, have examined the same and report:

It is proposed by this bill to increase from \$10 to \$15 per month the pension of William W. Lackey, late private, Nuld's independent battery, Delaware Volunteer Light Artillery, who served from August 9, 1862, to June 23, 1865, when honorably discharged.

Claimant, who is 63 years of age, was first pensioned under the act of June 27, 1890, at \$12 per month for catarrh and deafness of both ears. In the revision of allowances under this law by Commissioner Lochren his name was dropped from the pension roll June 4, 1896, on the ground that he was not incapacitated for earning a support by manual labor. He subsequently proved up a claim under the general law, and he is now a pensioner at \$10 per month for severe deafness of left ear and slight deafness of right ear, contracted during his military service.

Claimant has endeavored to obtain increase of pension at the Bureau, but without success, his last claim having been rejected August 13, 1902. His several medical examinations are very contradictory in respect to the degree of his deafness and the rating recommended therefor. In March, 1891, he was rated \$20 for total deafness of left ear and slight deafness of right ear, and in April, 1896, and January, 1897, the same degree of deafness was reported and the same rate recommended. In January, 1896, and June, 1897, he was rated \$6 for slight deafness of both ears, but in July, 1895, he was rated \$15, and in May, 1896, \$22 for severe deafness of both ears. His last examination, dated June 11, 1902, rated him \$10 for slight deafness of both ears, the examining surgeons stating, however, that he could perform manual labor but one-third of the time.

It is known to the writer of this report that claimant's disability now almost totally disqualifies him for the performance of manual labor and is a serious detri-

ment to him in obtaining any sort of employment and debars him from any avocation whereby he might earn a support. About a year ago he lost his position because of his infirmity, and has since been unable to obtain any employment. He has no resources and no means of support except his pension, and is dependent largely on others upon whom he has no legal claim. The increase asked for in the bill is to \$15 per month, and in view of all the facts, his good service and great need, your committee are of opinion that this amount may very properly be allowed.

The bill is therefore reported back favorably with a recommendation that it pass.

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